

REMARKS

In the Amendment submitted March 25, 2003, Applicants canceled Claims 1-13, 16-32, 43-44, 51-55, and 58-59 without prejudice and amended Claims 14-15, 33-42, 45-47, and 49-50 to ultimately depend from Claim 56. Applicants respectfully request that the amendments be entered.

Claims 14-15, 33-42, 45-50, 56-57, and 59-64 are thus in the application.

Rejection under 35 U.S.C. § 103

Claims 1, 12-15, 33-42, 44-57, and 59-64 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Trinh et al., U.S. Patent No. 6,001,343. Applicants respectfully traverse this rejection. Since the present application has a filing date after November 29, 2002, the present application is subject to 35 U.S.C. § 103(c), as amended by the American Inventors Protection Act of 1999. Since Trinh et al. is available as a reference only under § 102(e), amended § 103(c) serves to exclude Trinh et al. as a reference supporting a rejection under § 103(a), since Trinh et al. and the present application were commonly owned. See the following "Statement Regarding Common Ownership". Since Trinh et al. is not a proper reference to support a rejection under 35 U.S.C. § 103(a), Applicants submit that Claims 14-15, 33-42, 45-50, 56-57, and 59-64 are unobvious and patentable under 35 U.S.C. § 103(a).

Statement Regarding Common Ownership

U.S. Patent No. 6,001,343 and the present patent application were, at the time the invention was made, owned by, or subject to an obligation of assignment to, the same entity, namely The Procter & Gamble Company.

Double Patenting Rejection

Claims 1, 12-15, 33-42, 44-57, and 59-64 have been rejected under the doctrine of obviousness-type double patenting as being unpatentable over Claims 1-41 of U.S. Patent No. 6,001,343. Once patentable subject matter has otherwise been identified, Applicants will consider filing a terminal disclaimer to obviate this rejection.

CONCLUSION

In view of the foregoing remarks, reconsideration of the application and allowance of all claims are respectfully requested.

Respectfully submitted,

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